

Message Text

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ORIGIN L-03

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FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00
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E.O. 11652: N/A

TAGS: EFIS, FR

SUBJECT: EC-GIFA, ST. PIERRE AND MIQUELON
REF: A. PARIS 10968 B. STATE 005301

1. DEPT APPRECIATES REPORT REF A. ISSUE CONCERNING
FISHING RIGHTS OFF ST. PIERRE AND MIQUELON WILL PROBABLY
BECOME SIGNIFICANT ISSUE BETWEEN CANADA AND EC FOR TWO
REASONS: (1) THERE WILL BE A DIFFERENCE OF VIEW REGARDING
THE EXTENT OF THE ZONE AROUND ST. PIERRE AND MIQUELON
(I.E., THE BOUNDARY QUESTION) AND (2) THERE WILL BE,
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REGARDLESS OF WHERE THE BOUNDARIES ARE DETERMINED TO BE,
PROBLEMS REGARDING THE GENERAL FISHERY ISSUES CONCERNING
MANAGEMENT AND ACCESS.

2. ALTHOUGH THE SCOPE OF THE PROBLEM IS DIFFERENT, US-
CANADA PROBLEMS IN THE GULF OF MAINE AREA ARE SIMILAR
TO THOSE CONFRONTING EC AND CANADA IN AREA AROUND ST.

PIERRE AND MIQUELON. LIKE INTERIM 1977 FRENCH/CANADIAN AGREEMENT IN AREA AROUND ST. PIERRE AND MIQUELON. US AND CANADA WORKED OUT SHORT-TERM FISHERY AGREEMENT FOR 1977 WHICH HANDLED THE BOUNDARY QUESTION IN A QUOTE NEUTRAL UNQUOTE FASHION.

3. US AND CANADA SIGNED A SHORT-TERM RECIPROCAL FISHERIES AGREEMENT FOR 1977 ON FEBRUARY 24. IT IS NOT A GIFA

WITHIN THE MEANING OF THE FISHERY CONSERVATION AND MANAGEMENT ACT. THE PURPOSE OF THE AGREEMENT IS TO ALLOW CONTINUATION OF RECIPROCAL FISHERIES IN 1977 IN ACCORDANCE WITH EXISTING PATTERNS AND SUBJECT TO CERTAIN AGREED ALLOCATIONS, UNDER REGULATIONS NO LESS FAVORABLE THAN THOSE APPLIED TO COASTAL STATE FISHERMEN IN THE COASTAL STATE'S ZONE, AND WITHOUT MANY OF THE ADMINISTRATIVE AND LICENSING REQUIREMENTS THAT ARE PROVIDED FOR IN US AND CANADIAN LAW.

4. IN THE AGREEMENT, THE MARITIME BOUNDARY SITUATION IN THE GULF OF MAINE WAS HANDLED IN THE FOLLOWING MANNER. AREA OF QUOTE BOUNDARY REGION UNQUOTE WAS DESCRIBED BY REFERENCING RELEVANT FEDERAL REGISTER AND CANADA GAZETTE NOTICES WHICH DESCRIBED THE CLAIMS. AGREEMENT THEN STATES THAT IN THE BOUNDARY REGION, ENFORCEMENT WITH RESPECT TO US AND CANADIAN VESSELS WILL BE BY THE FLAG STATE ONLY; THE PARTIES AGREE THAT NEITHER PARTY WILL ALLOCATE FISHERIES TO THIRD PARTIES IN THE BOUNDARY REGION; AND THAT EITHER PARTY HAS THE RIGHT TO ENFORCE AGAINST THIRD LIMITED OFFICIAL USE

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PARTY IN THE BOUNDARY REGION.

5. USG HAS TAKEN THIS AGREEMENT TO CONGRESS AND ASKED FOR LEGISLATIVE ACTION TO BRING THE AGREEMENT INTO FORCE FOR THE US, SINCE IN MANY RESPECTS, IT IS AT VARIANCE WITH THE REQUIREMENTS OF THE FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976. THE AGREEMENT IS PRESENTLY BEING PROVISIONALLY APPLIED TO ALLOW THE CONTINUATION OF EXISTING FISHERIES WHILE CONGRESS CONSIDERS THE AGREEMENT.

6. ABOVE INFORMATION MAY BE MADE AVAILABLE TO GABRIEL-SABATIER, OR OTHER FOREIGN OFFICIALS. AS NOTED IN REF B, USG CONTINUES TO STUDY QUESTION OF ADVISABILITY OF THIRD-PARTY SETTLEMENT ON THIS MATTER; HOWEVER, EXCEPT AS A THEORETICAL MATTER, THIS AND OTHER POLICY CHOICES AVAILABLE TO USG IN THE FUTURE, SHOULD NOT BE DISCUSSED WITH GABRIEL-SABATIER OR OTHERS.
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